IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.15 OF 2003
IN
SUMMARY SUIT NO.3068 OF 2002

Reuters India Pvt.Ltd. .. Plaintiffs
V/s
Beautiful Diamonds Ltd. .. Defendants

Ms.Dholakia i/by M/s.Dholakia Gupte & Co.for Plaintiffs.

CORAM: S.C.DHARMADHIKARI, J.

DATE : 14.06.2005.

P.C.:

1. Learned Counsel appearing for the Plaintiffs tenders Non-Deposit Certificate. The same is taken on record and marked "X" for identification. The Defendants got an opportunity to defend the suit by virtue of a conditional order dated 16th June, 2004 passed in the Summons for Judgment. However, that opportunity has not been availed of by the Defendants, inasmuch as the condition which was imposed of depositing Rs.5 lakhs in this Court, has not been complied with. The learned Counsel for Plaintiffs points out that the Defendants have not made any application praying for extention of time to comply with the said condition. Even the order of this Court imposing a condition of deposit is not challenged.

2. In the light of non-compliance of the conditional order, the consequences contemplated by law must follow. The original documents are already on record alongwith

the list. The same are marked as "X-1" for identification. In the light of the above, the following order:-

ORDER

"There shall be a decree as prayed for. Refund of Court fees and computation of Advocate’s costs as per the rules."

(S.C.DHARMADHIKARI J.)